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9  
10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 \* \* \*

13 UNITED STATES OF AMERICA, )

14 Plaintiff, )

15 vs. )

16 MADHAVI PANDYA, )

17 Defendant. )

Case No. 2:15-mj-395-PAL

**STIPULATION TO CONTINUE  
PRELIMINARY HEARING DATE  
(Second Request)**

18 **IT IS HEREBY STIPULATED AND AGREED** by and between STEVEN M. ALTIG,  
19 attorney for Defendant, MADHAVI PANDYA, and SUSAN CUSHMAN, Assistant United  
20 States Attorney, attorney for Plaintiff, United States of America:

21 THAT THE PRELIMINARY HEARING CURRENTLY SCHEDULED FOR June 30,  
22 2015, at 4:00 p.m., before U.S. Magistrate Judge Peggy A. Leen be vacated and set to  
23 a time convenient for the Court, but no earlier than 30 days from the current setting.

24 This stipulation is entered into for the following reasons:

25 1. The government has proved counsel for the defendant with Rule 16  
26 Discovery and a written plea agreement. Counsel for the defendant requests an  
27 opportunity to review the discovery and discuss the proposed plea agreement with his  
28 client prior to a preliminary hearing or an indictment.

1           2.       Counsel for the defendant and counsel for the government agree to the  
2 continuance.

3           3.       Counsel for the Defendant has spoken with the Defendant and the  
4 Defendant has no objection to the continuance sought herein.

5           4.       Additionally, denial of this request could result in a miscarriage of justice,  
6 taking into account the exercise of due diligence.

7           5.       The additional time requested by this Stipulation is excluded in computing  
8 the time from the filing of the criminal complaint through which the government must  
9 assert an criminal Information or seek an Indictment by the Grand Jury pursuant to the  
10 Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the  
11 factors under Title 18, United States Code, Sections 3161 (h)(7)(B)(i) and 3161  
12 (h)(7)(B)(iv).

13           6.       This is the second request for continuance of the trial sought herein.

14           DATED this 18<sup>th</sup> day of June, 2015.

15           By /s/Steven M. Altig  
16 STEVEN M. ALTIG  
17 Nevada Bar No. 6879  
18 601 South Seventh Street  
19 Las Vegas, Nevada 89101  
20 Attorney for Defendant

21           By /s/Susan Cushman  
22 SUSAN CUSHMAN, ESQ.  
23 Assistant U.S. Attorney  
24 333 So. Las Vegas Blvd., 5<sup>th</sup> Floor  
25 Las Vegas, Nevada 89101  
26 Attorney for Plaintiff

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 \* \* \*

4 UNITED STATES OF AMERICA, )  
5 )  
6 Plaintiff, ) Case No. 2:15-mj-395-PAL  
7 vs. ) **FINDINGS OF FACT**  
8 ) **AND ORDER**  
9 MADHAVI PANDYA, )  
10 Defendant. )

11 **FINDINGS OF FACT**

12  
13 Based on the pending Stipulation of counsel, and good cause appearing  
14 therefore, the Court finds that:

15 1. The period within which the government may assert an Information or  
16 seek an Indictment through the Grand Jury against the defendant is hereby extended  
17 from the date of the filing of the complaint up through and including July 30, 2015.

18 2. Both sides agree to the continuance.

19 3. Counsel for the Defendant has spoken to the Defendant and the  
20 Defendant has no objection to the requested continuance.

21 4. The additional time requested by this Stipulation is excludable in  
22 computing the time within which the trial herein must commence pursuant to the  
23 Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the  
24 factors under Title 18, United States Code, Sections 3161 (h)(7)(B)(i) and 3161  
25 (h)(7)(B)(iv).  
26  
27

28 / / /

For all the above-stated reasons, the end of justice would best be served by

## ORDER

**DATED** this 22nd day of June, 2015.

UNITED STATES DISTRICT JUDGE